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| PPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO |
|---|-------------|----------------------|-------------------------|-----------------|
| 09/647,098 | 05/02/2001 | David Grant Richards | | 3884 |
| 7590 09/30/2004 | | | EXAMINER | |
| Sughue Mion Zinn Macpeak & Seas | | | FORD, VANESSA L | |
| 2100 Pennsylvania Avenue N W Washington, DC 20037-3202 | | | ART UNIT | PAPER NUMBER |
| | | | 1645 | |
| | | | DATE MAILED: 09/30/2004 | 1 |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Communication Re: Appeal | | Art Unit 1645 the correspondence address |
|---|-------------------------------------|--|
| The MAILING DATE of this communication appears on a second of the Notice of Appeal filed on is not acceptable (a) it was not timely filed. (b) the statutory fee for filing the appeal was not subce (c) the appeal fee received on was not timely (d) the submitted fee of \$ is insufficient. The acceptable for in this application. (f) a Notice of Allowability, PTO-37, was mailed by the submitted fee of is NOT acceptable for (a) the brief and/or brief fee is untimely. See 37 CFI | anessa L. Ford the cover sheet with | 1645 |
| The MAILING DATE of this communication appears on a communication appear | the cover sheet with | ; |
| 1. The Notice of Appeal filed on is not acceptable (a) it was not timely filed. (b) the statutory fee for filing the appeal was not subject to the appeal fee received on was not timely (c) the appeal fee received on was not timely (d) the submitted fee of \$ is insufficient. The acceptable for in this application. (f) a Notice of Allowability, PTO-37, was mailed by form the appeal brief filed on is NOT acceptable for is not acceptable for | | the correspondence address |
| (a) it was not timely filed. (b) the statutory fee for filing the appeal was not subscite to the appeal fee received on was not timely. (c) the appeal fee received on was not timely. (d) the submitted fee of \$ is insufficient. The acceptance with 37 CFR 1.19 rejection in this application. (f) a Notice of Allowability, PTO-37, was mailed by the appeal brief filed on is NOT acceptable for is NOT acceptable for in the brief and/or brief fee is untimely. See 37 CFR | because: | |
| (b) | | |
| (c) | | <i>(</i> |
| (d) the submitted fee of \$ is insufficient. The analysis in the appeal is not in compliance with 37 CFR 1.15 rejection in this application. (f) a Notice of Allowability, PTO-37, was mailed by the appeal brief filed on is NOT acceptable for is not in compliance with 37 CFR 1.15 rejection in this application. | omitted. See 37 CFR | 1.17(b). |
| (e) ☐ the appeal is not in compliance with 37 CFR 1.19 rejection in this application. (f) ☐ a Notice of Allowability, PTO-37, was mailed by the second of the appeal brief filed on is NOT acceptable for is NOT acceptable for the brief and/or brief fee is untimely. See 37 CFI. | / filed. | |
| rejection in this application. (f) a Notice of Allowability, PTO-37, was mailed by the second of the appeal brief filed on is NOT acceptable for is the brief and/or brief fee is untimely. See 37 CFI | appeal fee required by | 37 CFR 1.17(b) is \$ |
| 2. The appeal brief filed on is NOT acceptable for (a) the brief and/or brief fee is untimely. See 37 CFI | 91 in that there is no r | ecord of a second or a final |
| (a) ☐ the brief and/or brief fee is untimely. See 37 CF | the Office on | |
| | the reason(s) indicate | ed below: |
| (b) ☐ the statutory fee for filing the brief has not been s | R 1.192. | |
| (2) - 1110 - 1111 | submitted. See 37 CF | FR 1.17(c). |
| (c) the submitted brief fee of \$ is insufficient. | The brief fee required | I by 37 CFR 1.17(c) is \$ |
| The appeal in this application will be dismissed unless brief and requisite fee. Extensions of time may be obt | | |
| | | |
| 3. The appeal in this application is DISMISSED because: | : | |
| (a) the statutory fee for filing the brief as required un period for obtaining an extension of time to file th | | |
| (b) the brief was not timely filed and the period for ol CFR 1.136 has expired. | btaining an extension | of time to file the brief under 37 |
| (c) Request for Continued Examination (RCE) unde | r 37 CFR 1.114 was f | îled on |
| (d) other: | | |
| 4. Because of the dismissal of the appeal, this application | 1: | |
| (a) $oxed{oxed}$ is abandoned because there are no allowed claim | ns. | |
| (b) is before the examiner for final disposition because on the merits remains CLOSED. | se it contains allowed | claims. Prosecution |
| (c) is before the examiner for consideration of the su to 37 CFR 1.114. | bmission and prosecu | NITA MINNIPELIM |